

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

RECEIVED

APR 13 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MM Docket No. 92-299
Table of Allotments,)	RM-8049
TV Broadcast Stations,)	
(Appleton, New London and)	
Suring, Wisconsin))	

To: The Chief, Allocations Branch

MOTION FOR LEAVE TO FILE REPLY

Aries Telecommunications Corporation ("Aries"), the licensee of WGBA(TV), Channel 26, Green Bay, Wisconsin, hereby respectfully requests leave to file the accompanying Reply to Response of Wisconsin Voice of Christian Youth ("WVCY").

Aries filed both comments and reply comments in response to the Notice of Proposed Rulemaking in this proceeding, which involves a proposal by WVCY to reallocate television Channel 14 from Suring, Wisconsin to New London, Wisconsin. On March 29, 1993, nearly two weeks after the comment cycle in this proceeding closed, WVCY filed an unauthorized Response addressing two issues discussed by Aries during the comment cycle: (i) the fatal procedural failure of WVCY to serve its opening comments on Aries; and (ii) the fact that, under established Commission precedent and the facts of this case, WVCY's reallocation proposal

No. of Copies rec'd 074
LISTA CODE

cannot be considered one to provide a community's first local transmission service.

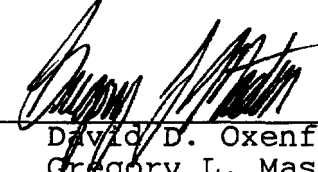
WVCY's contentions as to both of these issues are flawed, and full consideration of these issues requires that Aries be permitted to respond to the arguments in WVCY's unauthorized Response. The public interest clearly would be served by facilitating a complete and accurate record on the matters discussed in WVCY's Response. Accordingly, Aries respectfully requests that the Commission accept the accompanying Reply.

Respectfully submitted,

ARIES TELECOMMUNICATIONS
CORPORATION

FISHER, WAYLAND, COOPER
AND LEADER
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 659-3494

By:



David D. Oxenford
Gregory L. Masters

Its Attorneys

Dated: April 13, 1993

CERTIFICATE OF SERVICE

I, Valerie A. Mack, a secretary in the law firm of Fisher, Wayland, Cooper and Leader, do hereby certify that true copies of the foregoing "MOTION FOR LEAVE TO FILE REPLY" were sent this 13th day of April, 1993, by first class United States mail, postage prepaid, to the following:

* Michael C. Ruger, Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8322
Washington, D.C. 20554

James R. Bayes, Esq.
Wayne D. Johnsen, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

* By Hand


Valerie A. Mack